EXHIBIT 7

Page 1

1   IN THE UNITED STATES DISTRICT COURT
           SOUTHERN DISTRICT OF CALIFORNIA

2

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4   - - - - - - - - - - - - -X
)
   GEN-PROBE INCORPORATED,   )
5   )   NO.99cv2668 H (AJB)
              Plaintiff,   )
6   VS.   )
)
7   VYSIS, INC.,   )
)
8   Defendant.   )
)
9   - - - - - - - - - - - - - X

10

                      CONFIDENTIAL
11

12   Videotaped Deposition of
13   JONATHON MICHAEL L.   E, Ph.D.
14   Durham, North Ca.   na
15   Thursday, February 1 , 2001

16

17

18   Reported by:
     Sydney C. Silva, Registered Professional Reporter
19   File No:

20

21

22   COPY

23

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09:23:0 (repeated down the right margin for lines 1–19)

1	A. Yes, in the first sentence.	16:19:36
2	Q. And the amplification method described in	16:19:45
3	Example 4 is in vitro amplification of captured DNA	16:19:51
4	using an RNA polymerase, is that right?	16:19:56
5	A. Yes.	16:20:07
6	Q. And is it your understanding that the use	16:20:10
7	of the RNA polymerase would result in nonspecific	16:20:14
8	transcription of the target DNA?	16:20:23
9	A. Yes.	16:20:25
10	Q. So Example 4 describes a nonspecific	16:20:25
11	method of amplification?	16:20:29
12	A. Yes.	16:20:33
13	Q. And the method of amplification described	16:20:34
14	in Example 4 is a method of linear amplification,	16:20:37
15	is that correct?	16:20:43
16	A. Yes.	16:20:47
17	Q. Looking at Example 5, Example 5 also	16:20:56
18	refers to nonspecific amplification, is that	16:21:10
19	correct?	16:21:13
20	A. The first sentence says, "Nonspecific	16:21:13
21	replication of target DNA and transcription of that	16:21:17
22	DNA are used to amplify captured target DNA." So	16:21:23
23	it does address amplification.	16:21:36
24	Q. And the amplification method disclosed in	16:21:38

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Line	Text	Time
1	Example 5 is a linear method?	16:21:41
2	A. Let's see.	16:21:44
3	Yes, it is linear.	16:22:29
4	Q. So Example 5 discloses a linear	16:22:31
5	nonspecific method of amplification?	16:22:34
6	A. Yes.	16:22:37
7	Q. So recapping the examples, Examples 1	16:22:38
8	through 3 disclose capture methods without	16:22:43
9	amplification?	16:22:46
10	A. Yes.	16:22:48
11	Q. And Example 4 discloses linear	16:22:49
12	nonspecific amplification?	16:22:53
13	A. Yes.	16:22:54
14	Q. Example 5 discloses linear nonspecific	16:22:55
15	amplification?	16:22:59
16	A. Yes.	16:23:00
17	Q. Example 6 seeks to describe nonspecific	16:23:02
18	exponential amplification?	16:23:10
19	A. Let's see. Yes.	16:23:13
20	Q. And Example 7 describes -- seeks to	16:23:18
21	describe nonspecific exponential amplification?	16:23:22
22	A. Yes.	16:23:28
23	Q. Looking back at Column 30, specifically	16:23:44
24	at Lines 30 through 40, which I think is two	16:23:48

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